

Shahrad Milanfar (SBN 201126)
smilanfar@bkscal.com
 Alex P. Catalona (SBN 200901)
acatalona@bkscal.com
 BECHERER KANNETT & SCHWEITZER
 1255 Powell Street
 Emeryville, CA 94608
 Telephone: (510) 658-3600
 Facsimile: (510) 658-1151

Attorneys for Defendant
 PRECISION VALVE & AUTOMATION, INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

RUBEN JUAREZ, an individual and
 ISELA HERNANDEZ, an individual,

Plaintiffs,

PRECISION VALVE &
 AUTOMATION, INC., a corporation
 and DOES 1-20,

Defendants.

CASE NO. CV17-03342-ODW (GJSX)
 [L.A.S.C. Case No. BC650229]

**DEFENDANT PRECISION VALVE
 & AUTOMATION, INC.'S
EVIDENCE WITH TABLE OF
 CONTENTS IN SUPPORT OF
 MOTION FOR SUMMARY
 JUDGMENT**

Date: October 1, 2018
 Time: 1:30 p.m.
 Ctrm: 5D, 5th Floor
 Judge: Hon. Otis D. Wright II

*This motion is made following the
 conference of counsel pursuant to L.R.
 7-3 which took place on July 16, 2018.
 (Catalona Dec., 9:9-17, 690-694.)

**Defendant requests oral argument on
 this motion for summary judgment.

Becherer
 Kannett &
 Schweitzer

1255
 Powell St.
 Emeryville, CA
 94608
 510-658-3600

**EVIDENCE IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT BY
DEFENDANT PRECISION VALVE & AUTOMATION, INC. (“PVA”)**

TABLE OF CONTENTS

EVIDENCE

TAB

I.	Declaration of Alex P. Catalona.....	CATALONA
	<u>Attached Exhibits</u>	
	1. Complaint For Damages.....	1
	2. Notice of Removal.....	2
	3. Notice of Filing State Court Answer and Jury Demand.....	3
	4. First Amended Complaint For Damages.....	4
	5. First Amended Answer.....	5
	6. Plaintiffs’ Initial Disclosures.....	6
	7. PVA’s Initial Disclosures.....	7
	8. PVA’s Supplemental Disclosures.....	8
	9. Plaintiffs’ Supplemental Disclosures.....	9
	10.PVA’s Interrogatories To Plaintiff Juarez, Set One.....	10
	11.Plaintiff Juarez’s Responses To Interrogatories.....	11
	12.PVA’s Interrogatories To Plaintiff Hernandez, Set One.....	12
	13.Plaintiff Hernandez’s Responses To Interrogatories.....	13
	14.PVA’s Interrogatories To Plaintiff Juarez, Set Two.....	14
	15.Plaintiff Juarez’s Responses To Interrogatories.....	15
	16.PVA’s Interrogatories To Plaintiff Hernandez, Set Two.....	16
	17.Plaintiff Hernandez’s Responses To Interrogatories.....	17

**Becherer
Kannett &
Schweitzer**

1255
Powell St.
Emeryville, CA
94608
510-658-3600

EVIDENCE**TAB**

18.PVA's Requests for Production Of Documents and Elec.	
Stored Information (ESI) To Plaintiff Juarez, Set One.....	18
19.Plaintiff Juarez's Responses To Request For Production.....	19
20.PVA's Requests for Production Of Documents and Elec.	
Stored Information (ESI) To Plaintiff Hernandez, Set One.....	18
21.Plaintiff Hernandez's Responses To Request For Production.....	19
22.PVA's Requests for Production Of Documents and Elec.	
Stored Information (ESI) To Plaintiff Juarez, Set Two.....	22
23.Plaintiff Juarez's Responses To Request For Production.....	23
24.PVA's Requests for Production Of Documents and Elec.	
Stored Information (ESI) To Plaintiff Hernandez, Set Two.....	24
25.Plaintiff Hernandez's Responses To Request For Production.....	25
26.PVA's Requests for Production Of Documents and Elec.	
Stored Information (ESI) To Plaintiff Juarez, Set Three.....	26
27.Plaintiff Juarez's Responses To Request For Production.....	27
28.Plaintiffs' Privilege Log.....	28
29.May-June, 2018 Emails Between Counsel.....	29
30.March, 2018 Ruben Juarez Depo. Transcript (excerpts).....	30
31.Nov. 27, 2011 Employment Application.....	31
32.Dec. 29, 2011 Acceptance Letter.....	32
33.Sept. 24, 2014 Workers' Comp. Claim.....	33
34.Pictures of PVA 350.....	34
35.Hist. and Phys. Exam., 03/14/2013.....	35
36.Feb. 3, 2015 Report by Isaac Regev, M.D.....	36
37.Feb. 3, 2015 Report by Isaac Regev, M.D (Depo. Ex. 39).....	37

**Becherer
Kannett &
Schweitzer**

1255
Powell St.
Emeryville, CA
94608
510-658-3600

EVIDENCE**TAB**

38.March 25, 2015 Medical Intake Form	
Filled Out By Plaintiff Juarez.....	38
39.April 13, 2016 Report By Gayle K. Windman, Ph.D.....	39
40.April 13, 2016 Report By Gayle K. Windman, Ph.D	
(Depo. Ex. 38).....	40
41.Mar.-Oct., 2015 Ruben Juarez Depo. Transcript (excerpts).....	41
42.March, 2015 Emails Between Plaintiff Juarez and SpaceX.....	42
43.March 5, 2018 Emails Between Counsel.....	43
44.Web Pages from “Free SDS Search” Re: Arathane.....	44
45.Web Pages from “Free SDS Search” Re: Humiseal.....	45
46.Web Pages from “Free SDS Search” from 2011 to 2018.....	46
47.Web Pages from “Google.com” Re:	
Humiseal Thinner 521 MSDS.....	47
48.SDS Sheet For 285 Lead Free Flux Cored Solder.....	48
49.MSDS Sheet For Arathane 5750A.....	49
50.MSDS Sheet For Arathane 5750B.....	50
51.MSDS Sheet For Arathane 5750 A/B.....	51
52.MSDS Sheet For Humiseal 1A33.....	52
53.MSDS Sheet For Humiseal Thinner 521.....	53
54.MSDS Sheet For Isopropyl Alcohol.....	54
55.MSDS Sheet For Mildly Activated Rosin Cored Wire.....	55
56.Sept. 6, 2014 Email With Attachment From	
Ruben Juarez To Mike Lynch at SpaceX.....	56
57.July 16, 2018 Emails Between Counsel Re: Meet and	
Confer Teleconference Pursuant To L.R. 7-3.....	57

**Becherer
Kannett &
Schweitzer**

1255
Powell St.
Emeryville, CA
94608
510-658-3600

<u>EVIDENCE</u>	<u>TAB</u>
II. Declaration of Jonathan Urquhart.....	<i>URQUHART</i>
<u>Attached Exhibits</u>	
1. Color Pictures Of The PVA 350.....	65
2. PVA Document Production Re: PVA 350	
And Other Products Sold To SpaceX (excerpts).....	66
3. NVOC Specifications From Electrolube.....	67
4. PVA Manual.....	68
5. March, 2012 Emails Re: PVA 350.....	69
III. Declaration of Gregory E. Maxwell.....	<i>MAXWELL</i>
<u>Attached Exhibits</u>	
1. SpaceX Avionics Standard Operation	
Procedure (“SOP”) Rev. A.....	75
2. SpaceX Avionics SOP Rev. B.....	76
3. SpaceX Avionics SOP Rev. C.....	77
4. SpaceX “Hazard Communication” Course Materials	78
IV. Declaration of David Hwang.....	<i>HWANG</i>
<u>Attached Exhibits</u>	
1. SpaceX Avionics SOP Rev. A.....	75
2. SpaceX Avionics SOP Rev. B.....	76
3. SpaceX Avionics SOP Rev. C.....	77
4. March, 2012 Emails.....	79
V. Declaration of Duc. Q. Phan	<i>PHAN</i>
<u>Attached Exhibits</u>	
1. SpaceX Avionics SOP Rev. B.....	76
2. SpaceX Avionics SOP Rev. C.....	77

**Becherer
Kannett &
Schweitzer**

1255
Powell St.
Emeryville, CA
94608
510-658-3600

EVIDENCE

TAB

3. SpaceX “Hazard Communication” Course Materials.....	78
VI. Declaration of Lynette Dhillon	<i>DHILLON</i>
<u>Attached Exhibits</u>	
1. SpaceX Avionics SOP Rev. A.....	75
2. SpaceX Avionics SOP Rev. B.....	76
3. SpaceX Avionics SOP Rev. C.....	77
4. Juarez Employment File Documents.....	90
5. SpaceX “Hazard Communication” Course Materials.....	91

DATED: August 24, 2018

BECHERER KANNETT & SCHWEITZER

By: /s/ Alex P. Catalona
 Alex P. Catalona
 Attorneys for Defendant
 PRECISION VALVE & AUTOMATION,
 INC.

**Becherer
 Kannett &
 Schweitzer**

1255
 Powell St.
 Emeryville, CA
 94608
 510-658-3600

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 27, 2018, a true and correct copy of **DEFENDANT PRECISION VALVE & AUTOMATION, INC.'S EVIDENCE WITH TABLE OF CONTENTS IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT** has been served via ECF upon all counsel of record in the Court's electronic filing system.

By: /s/ Jerry Dumlao

**Becherer
Kannett &
Schweitzer**

1255
Powell St.
Emeryville, CA
94608
510-658-3600